

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

DAVID BLADE CLAY,)	
)	
Petitioner,)	
)	
vs.)	No. CIV-13-248-C
)	
STATE OF OKLAHOMA,)	
)	
Respondent.)	

ORDER OF DISMISSAL WITHOUT PREJUDICE

This action for habeas corpus relief brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Gary M. Purcell, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Purcell entered a Report and Recommendation on March 25, 2013. Petitioner timely filed a “Motion Requesting Reconsideration and or Objection to Document 9,” which the Court will treat as a timely filed objection, and the matter is therefore considered de novo.

The facts and law are accurately set out in the Magistrate Judge’s Report and Recommendation and there is no purpose to be served in repeating them yet again. In his objection, there is nothing asserted by the Petitioner which was not fully considered and correctly rejected by the Magistrate Judge, and no argument of fact or law is set forth in the objection which would require a different result.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge, and for the reasons announced therein, this petition for habeas corpus relief is dismissed without prejudice.

IT IS SO ORDERED this 22nd day of April, 2013.



ROBIN J. CAUTHRON
United States District Judge